REMARKS/ARGUMENTS

This Amendment is being filed in response to the Final Office Action dated May 26, 2010. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-17 are pending in the Application. Claims 1, 7, 13 and 17 are independent claims.

In the Office Action, claims 1, 13 and 17 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 7,058,786 to Oliveri ("Oliveri") in view of U.S. Patent No. 2003/0067859 to Weijenbergh ("Weijenbergh"). Claims 2-12 and 14-16 are rejected under 35 U.S.C. §103(a) over Oliveri in view of Weijenbergh in view of U.S. Patent No. 5,734,787 to Yonemitsu ("Yonemitsu"). These rejections are respectfully traversed. It is respectfully submitted that claims 1-17 are allowable over Oliveri in view of Weijenbergh alone and in view of Yonemitsu for at least the following reasons.

In rejecting claim 1, the Final Office Action refers to Oliveri at col. 3 lines 6-17. Olivieri in this section states (emphasis added):

> Illustrated in FIG. 1 is an exemplary system diagram of one embodiment of a data system that allows data to be passed between a user address space and a kernel address space. In a computer system, <u>user applications</u>, such as software programs, utilities and other applications, that <u>run on top of the operating system execute in user space</u>. User space and user applications have pre-determined memory addresses allocated for their use. The <u>kernel space, has different pre-defined memory addresses for its use</u> which may include physical and/or virtual memory. It will be appreciated that the <u>kernel space and operating system address space can be used interchangeably</u>.

As is clear from a simple review of Oliveri including FIGs. 1-3 cited in the Response to Arguments section of the Final Office Action, Oliveri shows an application stored in user space and a data structure 110 that is kernel data that shares addresses with the user space. Accordingly, Oliveri only shows one type of "user data", the application data in the user space. The data structure 110 is kernel data/operating system data (see, Oliveri above which makes clear that kernel data is interchangeable with operating system data) and as such, is not space that is available for a user to record user data.

As made clear from the present application in the Background of the Invention, different recording formats for user data have different requirements regarding the allocation of information on an optical disc in that different recording formats do not respect each others requirements. The present application further explains that individual prior formats for an optical disk were developed with an assumption that a specific optical disc would be used for one purpose (format) only (see, present application, page 2, lines 13-20). The system recited in the claims, such as independent claims 1, 7, 13 and 17, enables different formats to share an optical disc.

It is respectfully submitted that the method of claim 1 is not anticipated or made obvious by the teachings of Oliveri. For example, Oliveri does not teach, disclose or suggest, a method that amongst other patentable elements, comprises (illustrative emphasis provided) "dividing the user storage space located between a lead-in area and a lead-out area of the optical disk into a plurality of storage sections including one or more first storage sections where only user data in a first format is recordable and one or more second sections where only user data in a second format that is different from the first

format is recordable, wherein the user storage space is space on the optical disc that is available for a user to record user data" as recited in claim 1, and as similarly recited by each of claims 7, 13, and 17.

As is clear, Oliveri only shows one type of user data termed "application data" that is available for a user to record and operating system data (kernel) that is not available for the user to record.
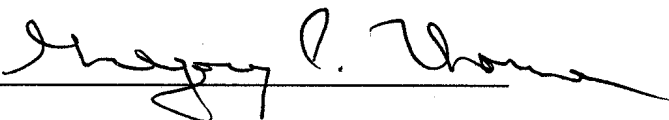
Weijenbergh and Yonemitsu are cited for showing other elements of the claims and do not cure the deficiencies of Oliveri.

Based on the foregoing, the Applicants respectfully submit that independent claims 1, 7, 13 and 17 are patentable over Oliveri in view of Weijenbergh and Yonemitsu and notice to this effect is earnestly solicited. Claims 2-6, 8-12 and 14-16 respectively depend from one of claims 1, 7 and 13 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration and allowance of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

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